

VERIFICATION OF WHISTLE-BLOWING REPORTS

Information for data subjects concerning collection of personal data

In accordance with Art. 13 and Art. 14 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter only as the “GDPR”), the Ministry of Investments, Regional Development and Informatization of the Slovak Republic (hereinafter as the “Ministry”, “MIRRI SR” or the “controller”) as the entity processing personal data of data subjects, provides data subjects persons with the following information:

1. Identification and contact data of the controller:

Ministry of Investments, Regional Development and Informatization of the Slovak Republic, Pribinova 25, 811 09 Bratislava, Entity ID No./IČO: 50349287

2. Contact data of the person responsible for personal data protection at the MIRRI SR:

- telephone No.: +421 2 2092 8425
- e-mail: zodpovedna.osoba@mirri.gov.sk

3. Scope of processed personal data:

The Ministry processes common personal data of data subjects in the following scope:

a) Mandatory data:

- e-mail address – only for filing reports in electronic format (by e-mail/by means of electronic form),

b) Optional data:

- First name, last name, degree,
- Function, job position,
- Telephone number,
- Address of permanent residence,
- Address of temporary or other type of residence,
- Signature (by hand, in electronic format),

c) Other data the whistle-blower may provide:

- Birth certificate number,
- Date of birth,

- IP address of the user,
- log in,
- type of device,
- other data provided in the report.

4. Categories of personal data:

The Ministry processes common personal data. It does not process the specific category of personal data.

5. Categories of data subjects:

The Ministry processes personal data of:

- **Natural persons** – whistle-blowers – employees of the controller or other entities referred to in Act No. 54/2019 Coll. on the protection of whistle-blowers and on amendment to other acts as amended,
- **Natural persons**, whose personal data are specified in the report – e.g., persons referred to by the whistle-blower as data subjects responsible for reported misconduct harmful to the society, witnesses or other involved persons,
- **Natural persons**, whose personal data are necessary for verification of the report – e.g., witnesses or other involved persons.

6. Purpose of personal data processing:

The controller processes personal data for the purposes of verifying reports filed under Act No. 54/2019 Coll. on the protection of whistle-blowers and on amendment to other acts as amended, including notifications of retaliatory measures and for the purposes of keeping records of reports filed under the aforementioned act.

7. Legal basis for processing:

The legal basis for processing of personal data of employees is **compliance with the legal obligation of the controller** referred to in Art. 6(1)(c) of the GDPR: *„processing is necessary for compliance with a legal obligation to which the controller is subject.“*

Processing is necessary for the purposes of compliance with the legal obligation of the controller to verify reports filed under Act No. 54/2019 Coll. on the protection of whistle-blowers and on amendment to other acts as amended and keeping records of reports filed under the given act. The controller is a public administration

body obliged to perform tasks of the employer referred to in Act No. 54/2019 Coll. on the protection of whistle-blowers and on amendment to other acts as amended.

The controller shall be obliged to perform tasks resulting from §10, §11 and following of Act No. 54/2019 Coll. on the protection of whistle-blowers and on amendment to other acts as amended.

8. Processor that shall process personal data on behalf of the controller:

The controller shall not use any processor for personal data processing.

9. Sub-processor that shall process personal data on behalf of the controller:

The controller shall not use any processor for personal data processing.

10. Recipients of personal data:

Personal data can be provided:

- For the purposes of a review, also to the Whistle-blower Protection Office,
- For the purposes of criminal proceedings or administrative delict proceedings under separate regulations, also to criminal investigation authorities or administrative authorities.

11. Duration of personal data processing (including storing):

The controller shall process personal data, as the standard, for the period of 3 years. After the expiry of the above period, personal data will be processed in the case it is necessary for the purposes of further proceedings related to the report. In such case, personal data will be processed until the completion of the proceedings related to the report.

12. Transfer of personal data to third countries or international organisations:

No, not performed.

13. Information about automated individual decision taking and profiling:

Personal data will not be used for automated individual decision taking neither for profiling.

14. Rights of data subjects:

In accordance with Art. 15 to Art. 22 of the GDPR, data subjects are authorised, by means of a request, to claim the following **rights of data subjects**:

- a) Right to receive access to personal data, including relevant information pertaining their processing and the rights to receive confirmation of personal data processing,

- b) Right to remedy incorrect and complete incomplete personal data pertaining to them,
- c) Right to have personal data pertaining to them deleted,
- d) Right to restrict personal data processing,
- e) Right to transferability of personal data,
- f) Right to object personal data processing,
- g) Right of data subjects to be exempt from any decision based on automated processing, including profiling, which may have legal effects or materially influence data subjects.

15. Request to exercise rights of data subjects:

Data subjects are authorised to file a request to exercise rights of data subjects with the controller or its authorised person by mail to the controller's address, by e-mail at zodpovedna.osoba@mirri.gov.sk or in person at the registry office of the controller.

16. Information about the legal or contractual requirement:

Providing personal data does not result from the law and neither is a contractual requirement or a precondition for entering into a contract. If a whistle-blower decides to file the report in electronic format (by e-mail/by means of electronic form), it is necessary to provide the whistle-blower's e-mail address. Providing other personal data when whistle-blowing is not mandatory, however, in the case of failure to provide any contact data of the whistle-blower, it will not be possible to contact the whistle-blower for the purposes of requesting for necessary additional information and neither it will be possible to notify the whistle-blower of the outcome of the whistle-blowing verification.

The controller is a public administration body obliged to perform tasks of the employer referred to in Act No. 54/2019 Coll. on the protection of whistle-blowers and on amendment to other acts as amended, i.e., receive and verify reports under the above act and keep records of whistle-blowing reports. In the case of failure to provide data, including possible personal data available to the whistle-blower that is necessary for reviewing and verifying the report, it may be impossible to verify the report in a comprehensive manner.

17. Source of personal data:

The controller will receive personal data from the report, documentation provided by another units of the controller, public sources and internal documentation accessible to employees of the controller.

18. Petition for initiation of the proceedings on the protection of personal data:

If any data subject may believe that personal data processing resulted in violation of their rights, they have the right to file a petition for initiation of the proceedings on the protection of personal data with the **Office for Personal Data Protection of the Slovak Republic** in line with provisions of Act No. 18/2018 Coll. on personal data protection and on amendment to other acts as amended. [Petition for initiation of the proceedings on the protection of personal data | Office for Personal Data Protection of the Slovak Republic \(DOCX.20,51 KB\)](#)